

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY ROME PRIORITY

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

USMISSION NATO

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E.O. 11652: N/A

TAGS: MASS, TU, IT

SUBJECT: ITALIAN F-104 SALE TO TURKEY

REF: ROME 2193

1. FOLLOWING INFO SUPPLIED FOR DEPARTMENT'S NOON BRIEFING
ON AN IF-ASKED BASIS.

2. Q. WOULD YOU COMMENT ON THE AP STORY CLAIMING THAT THE
UNITED STATES HAS SOLD F-104'S TO TURKEY THROUGH ITALY?

3. A. IN SEPTEMBER, 1974, TURKEY CONTRACTED TO BUY F-104'S
MADE IN ITALY FROM THE ITALIANS. THE U.S. WAS INVOLVED
ONLY INSOFAR AS THAT THE F-104'S ARE MADE BY AN ITALIAN
FIRM UNDER A LICENSING AGREEMENT WITH A U.S. COMPANY.

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UNDER THE AGREEMENT, A FOREIGN FIRM CAN MAKE EXPORT SALES

IF THE U.S. GOVERNMENT GIVES ITS CONSENT. THE UNITED STATES CONSENTED TO THE PROPOSED SALE TO TURKEY AFTER FIRST RECEIVING FROM THE GOVERNMENT OF TURKEY THE NORMALLY REQUIRED ASSURANCES AGAINST FURTHER TRANSFERS WITHOUT U.S. CONSENT. SINCE THE SEPTEMBER CONTRACT, THE ITALIANS HAVE PROCEEDED WITH THE SALE AND DELIVERY OF THE AIRCRAFT TO TURKEY.

4. Q. DOES THE SALE VIOLATE THE CONGRESSIONAL SUSPENSION OF SALES TO TURKEY?

5.A. THE RECENT STATUTORY SUSPENSION OF MILITARY ASSISTANCE AND SALES AND EXPORT LICENSES TO THE GOVERNMENT OF TURKEY DOES NOT AFFECT THIS PRIOR TRANSACTION, WHICH IS A CONTRACT BETWEEN ITALY AND TURKEY.

1) THE SALE IS A COMMERCIAL TRANSACTION; NEITHER MILITARY ASSISTANCE NOR THE FOREIGN MILITARY SALES PROGRAM IS INVOLVED.

2) THE UNITED STATES CONSENT TO THE SALE WAS GIVEN BEFORE THE SUSPENSION OF LICENSES. WE HAVE NO LEGAL BASIS FOR RE-NEGOTIATING A PRIVATE CONTRACT BETWEEN THE ITALIAN FIRM AND THE TURKISH GOVERNMENT.

6. ISSUE NOT RAISED AT FEBRUARY 14 DEPARTMENT PRESS BRIEFING. INGERSOLL

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